

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR 116-050
)	
KENNETH REED, JR.)	

ORDER

In light of Defendant's retention of counsel, the Court **TERMINATES** the appointment of Mitchell Byrd Snyder, and **INSTRUCTS** him to file his CJA voucher within fourteen days of the date of this Order.

Defendant also requests an extension of time to file pre-trial motions because he recently retained new counsel. The Court finds, as a matter of fact and law, that the motion is not for the purpose of delay, but in the furtherance of justice, and to protect Defendant's right to a fair trial. The Court also finds that the motion is for the purpose of allowing reasonable time necessary, assuming the exercise of due diligence, for the effective preparation of newly-retained defense counsel in that counsel needs additional time to review the discovery information provided by the government to determine which pre-trial motions should be filed.

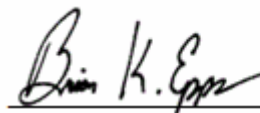
Therefore, pursuant to 18 U.S.C. § 3161(h)(7), and on the basis of the Court's finding that the ends of justice served by granting the motion for an extension outweigh the best interests of the public and Defendant in a speedy trial, the Court **GRANTS** Defendant's

request for an extension. (Doc. no. 18-1.) Any pre-trial motions must be filed no later than March 9, 2017. The period of delay resulting from this extension – February 23, 2017, through and including March 9, 2017 – is excluded in computing the time within which the trial of this matter may commence. As set forth in the arraignment order, the government shall have fourteen days to respond to any defense motion, and any motions by the government related to pre-trial discovery must be filed at the time the government responds to the defense motions.

Defense counsel is specifically cautioned that because of this extension, “preliminary” motions to suppress, dismiss, or sever will not be looked upon favorably. All motions must comply with Local Criminal Rule 12.1 at the time of filing, including the provisions concerning affidavits, citations to record evidence, and supporting memorandums. Any “preliminary” motions on the docket as of March 9, 2017, will be treated as nullities.

Lastly, Defendant requests return of funds in the amount of \$3,722.00 seized for payment of CJA fees pursuant to this Court’s Order dated February 7, 2017. (Doc. no. 18-2.) The Court **GRANTS** Defendant’s request and the **DIRECTS** the Clerk to send funds in the amount of \$3,722.00 to retained counsel Keith Johnson, 1450 Greene Street, Suite 226, Augusta, Georgia, 30901.

SO ORDERED this 23rd day of February, 2017, at Augusta, Georgia.



BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA